

*CM Kennedy Jr
Cm Washington*

TOWN OF FOREST HEIGHTS
RESOLUTION 36-18

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FOREST HEIGHTS, MARYLAND TO APPROVE THE FULL TIME EMPLOYMENT AND RE-APPOINTMENT OF JOSEPH HAWKINS AS A CODE ENFORCEMENT OFFICER FOR SERVICE IN THE FOREST HEIGHTS POLICE DEPARTMENT AND GENERALLY RELATING TO THE OFFICE OF CODE ENFORCEMENT OFFICER

Introduced By: Mayor Muhammad

WHEREAS, pursuant to Section 2.4 of the Town Code, the Mayor has the power to appoint full time employees with the consent of the Town Council by an affirmative vote of a majority of the Town Council; and

WHEREAS, pursuant to Section 23.9 of the Town Code, the appointment of the Code Enforcement Officer shall be approved by ordinance or resolution, and a Code Enforcement Officer shall be appointed by the Mayor with the consent of the Council; and

WHEREAS, pursuant to Section 7.80 of the Town Employee Handbook, all vacancies shall, whenever possible, be filled by promotion of a qualified employee within the Town; however, the Town may recruit applicants from outside the Town service whenever there is reason to believe that better qualified applicants are available; and

WHEREAS, pursuant to Section 12.1 of the Town Code, no oral or written contract shall be entered into with any person having an established personal relationship with any sitting Town official; however, the limitations of subsection e. of Section 12.1 may be waived by a supermajority vote of the full Council held during a public meeting, and whereby the term "established personal relationship" means related by blood, marriage, cohabitation, employment, or business partnership, and a supermajority vote shall mean five or more votes; and

WHEREAS, pursuant to Resolution 87-17, Joseph Hawkins was hired in a part time capacity and appointed to serve as a Code Enforcement Officer for the Town of Forest Heights, and the Council further voted to waive the limitation in Section 12.1 for the part-time employment; and

WHEREAS, the Mayor and Town Administrator have reported that the prior full time Code Enforcement Officer resigned his position effective on or about May 14, 2018, and the Council finds that it is in the best interest of the Town to appoint a full time Code Enforcement Officer at this time.

NOW THEREFORE BE IT RESOLVED, that the Town Council hereby approves, consents to and ratifies the re-appointment of Joseph Hawkins to the position as Code Enforcement Officer to replace his predecessor, and to serve as a full time, Code Enforcement Officer commencing on July 1, 2018; and

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BE IT FURTHER RESOLVED, that said employee shall serve full time as a probationary employee entitled to the same benefits and compensation, if any, as an entry level full time Code Enforcement Officer at an annual compensation of \$40,000 per Line Item 7056 of the FY19 Budget, or the applicable budget that is effective after July 1, 2018, subject to the Town's General Orders, ordinances, and personnel handbook and further subject to fulfilling any applicable or necessary pre-employment or background checks and reviews.

AND BE IT FURTHER RESOLVED, that the resignation of Ricardo J. Smith as the predecessor and former full-time code enforcement officer and any separation agreement and/or waiver thereto is hereby accepted or reaffirmed by the Council.

AND BE IT FURTHER RESOLVED, that pursuant to Town Code, §23.9 said Code Enforcement Officer shall be assigned such duties as are civilian and administrative in nature that the Chief of Police shall, from time to time, direct, that are not inconsistent with the limitations set forth in in Town or State law, and, in addition, the Code Enforcement Officer shall be vested with the authority to issue parking citations and citations for municipal infractions as expressly provided for in each applicable Article of the Town Ordinance Code.

AND BE IT FURTHER RESOLVED, that said Code Enforcement Officer shall be directly supervised by the Staff Noncommissioned Officer in charge of the Forest Heights Police Department ("FHPD"), currently SSGT Rease, and that this position may be further governed by Town ordinances, the Police General Orders and Town Employee Handbook, as applicable, where such policies or directives pertain to code enforcement as an ordinance-enforcement arm of the civilian or non-sworn law enforcement officer membership of the FHPD.

AND BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon its passage.

PASSED this 20 day of June 2018.

APPROVED: By Resolution of the Town Council of The Town of Forest Heights, Maryland

ROLL CALL VOTE

YEA/NAY/ABSTAIN/ABSENT

MUHAMMAD

Yea

KENNEDY II

Yea

MCLAURIN

absent

BARNES

Yea

HINES

Yea

WASHINGTON

Yea

BROWNSON

Nay

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I HEREBY CERTIFY that the above Resolution No. 36-18 was passed by the required ye and nay vote of the Mayor and Council of Forest Heights on the 20 day of June 2018.

ATTEST:

THE TOWN OF FOREST HEIGHTS

SIGNATURE ON FILE

Sherletta B. Hawkins, Town Clerk

SIGNATURE ON FILE

By: _____
Habeeb-Ullah Muhammad, Mayor

SIGNATURE ON FILE

By: _____
Calvin Washington, Council President

CERTIFICATION

I, hereby certify, as the duly appointed Town Clerk of the Town of Forest Heights, Maryland, that on the 20 day of June 2018 with 5 Aye votes and 1 Nay votes the aforesaid Resolution 36-18 passed.

SIGNATURE ON FILE

Sherletta Hawkins, Town Clerk